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Substantively Consolidated SIPA Liquidation of
the estate of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

<div>SECURITIES INVESTOR PROTECTION CORPORATION,</div> <div>Plaintiff-Applicant,</div> <div>v.</div> <div>BERNARD L. MADOFF INVESTMENT SECURITIES LLC,</div> <div>Defendant.</div>	<div>Adv. Pro. No. 08-01789 (SMB)</div> <div>SIPA LIQUIDATION</div> <div>(Substantively Consolidated)</div>
<div>In re:</div> <div>BERNARD L. MADOFF,</div> <div>Debtor.</div>	
<div>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</div> <div>Plaintiff,</div> <div>v.</div> <div>AMERICAN SECURITIES MANAGEMENT, L.P., formerly known as AMERICAN SECURITIES, L.P., et al.,</div> <div>Defendants.</div>	<div>Adv. Pro. No. 10-05415 (SMB)</div>

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

PLEASE TAKE NOTICE that Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel Baker & Hostetler LLP, pursuant to Rule 7041(a)(1)(A)(i) of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismisses the following defendants from the above-captioned adversary proceeding without prejudice:

1. The Estate of Miriam Furst-Ostow;
2. Rachel Ostow Lustbader, as Executrix of the Estate of Miriam Furst-Ostow; and
3. Judy Steinberg Kovler.

Pursuant to Federal Rule of Bankruptcy Rule 7041(a)(1)(A)(i), and Federal Rule of Civil Procedure 41(a)(1)(A)(i), the Trustee is permitted to voluntarily dismiss the Trustee’s claims against defendants without prejudice, and without a court order, by filing this Notice of Dismissal, because as of the date hereof, none of the defendants listed above has served either an answer or a motion for summary judgment.

Upon the dismissal of the defendants listed above, the caption of the Adversary Proceeding is hereby amended to delete the defendants listed above from the caption. The amended caption of the Adversary Proceeding shall appear as indicated in Exhibit A to this Notice of Dismissal.

Date: January 5, 2016
New York, New York

BAKER & HOSTETLER LLP

By: /s/ Fernando A. Bohorquez, Jr.

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